XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक Arb.A...8/07... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Arb. Application No.8 OF 2007

Appellant M/s Triveni Structurals Ltd., A Government of India undertaking and a company registered under Companies Act, 1956, Head Officer Naini, Allahabad (U.P.)

Vs

Non-applicants

1. State of Chhattisgarh, Through the Secretary, Water Resources Department, D.K.S. Bhawan, Raipur.
2. Executive Engineers, E&M (H.E.M.M) Division, M.R.P. Rudri, Distt. Dhamtari (C.G.)

Present : Shri Gautam Khetrapal, Advocate for the applicant.
Shri, Sudhir Bajpai, Dy. G.A. for the State.

ORAL ORDER

(Passed on 28th March, 2007)

This is an application under Section 11 (6) of the Arbitration & Conciliation Act, 1996 for appointment of Sole Arbitrator as per Clause 52 of the arbitration agreement dated 14.10.1989.

Learned counsel for the appellant submits that in view of the arbitration clause 52 of agreement and also in view of the Section 20 of the C.G. Madhyastham Adhikaran Adhiniyam, 1983 the instant application for appointment of the Arbitrator under Section 11 (6) is not maintainable and therefore, he wants to withdraw this application with liberty to avail the remedy of filing appropriate proceedings available under the law.

The above prayer is not opposed by learned counsel for the respondents.

Accordingly, the application is dismissed as withdrawn with liberty to avail the remedy available under the law.

Sd/-
Dhirendra Mishra
Judge

Roshan

P.T.O.